

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY APRIL 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1711

Introduced by Assembly Members McCarty and Medina
(Coauthors: Assembly Members Baker, ~~Olsen, Low, Daly, and~~
~~Cooper Cooper, Daly, Beth Gaines, Gipson, Low, and Olsen~~)
(Coauthor: Senator Cannella)

January 26, 2016

An act to add Section 68052.1 to the Education Code, relating to the University of California.

LEGISLATIVE COUNSEL'S DIGEST

AB 1711, as amended, McCarty. University of California: nonresident student enrollment.

Existing law expresses the intent of the Legislature that the University of California establish nonresident student tuition policies that are consistent with their resident student fee policies. The provisions are applicable to the University of California only if the Regents of the University of California act, by resolution, to make them applicable.

This bill would require the University of California, as a condition of receipt of funds appropriated in the annual Budget Act, to limit the percentage of nonresident undergraduate students enrolled at the University of California systemwide to ~~15.5%~~ 10% of total undergraduate student enrollment, *to increase resident undergraduate student enrollment by 5,000 and decrease nonresident undergraduate student enrollment by 1,700 each year for 6 academic years beginning with the 2017–18 academic year*; and would prohibit any campus of

the University of California where nonresident undergraduate student enrollment exceeds 15.5% from enrolling new nonresident undergraduate students in excess of the number of new nonresident undergraduate students enrolled in the 2015–16 academic year. The bill, ~~beginning in the 2017–18 academic year, would require a certain percentage of revenue generated from new nonresident undergraduate student enrollment to be directed to fund increased enrollment of resident undergraduate students, and~~ bill would require the University of California to annually publish a report with specified information relating to nonresident undergraduate tuition and revenue. The bill would require the University of California to establish a policy to require each campus to admit only nonresident undergraduate students who exceed the academic qualifications of resident undergraduate students, as specified, and would require the University of California to annually report specified information to the Legislature to ensure compliance with the policy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 68052.1 is added to the Education Code,
2 to read:
3 68052.1. (a) As a condition of receipt of funds appropriated
4 in the annual Budget Act, and notwithstanding Section 68134, the
5 University of California shall comply with all of the following:
6 (a)
7 (1) The percentage of nonresident undergraduate students
8 enrolled at the University of California systemwide shall not exceed
9 ~~15.5~~ 10 percent of total undergraduate student ~~enrollment~~.
10 *enrollment by the 2022–23 academic year.*
11 (2) *In each of the 2017–18, 2018–19, 2019–20, 2020–21,*
12 *2021–22, and 2022–23 academic years, the University of*
13 *California shall increase resident undergraduate student*
14 *enrollment by 5,000 and decrease nonresident undergraduate*
15 *student enrollment by 1,700.*
16 (b)
17 (3) Any campus of the University of California at which
18 nonresident undergraduate enrollment exceeds 15.5 percent of
19 total student enrollment shall not enroll new nonresident

1 undergraduate students in excess of the number of new nonresident
2 undergraduate students enrolled in the 2015–16 academic year.

3 ~~(e) Beginning in the 2017–18 academic year, an amount not~~
4 ~~less than 50 percent of the revenues in excess of the marginal cost~~
5 ~~of instruction generated from new nonresident undergraduate~~
6 ~~enrollment shall be directed to fund increased enrollment of~~
7 ~~resident undergraduate students at all campuses of the university~~
8 ~~with undergraduate students.~~

9 ~~(d)~~

10 (4) The University of California shall annually publish a report
11 that includes, but is not necessarily limited to, all of the following
12 information:

13 ~~(1)~~

14 (A) The nonresident undergraduate tuition and fee level
15 established at each campus.

16 ~~(2)~~

17 (B) The amount of revenues generated by nonresident
18 undergraduate enrollment at each campus.

19 ~~(3)~~

20 (C) The method by which these revenues were distributed among
21 the various campuses of the university.

22 ~~(4)~~

23 (D) For each campus, the purposes for which these revenues
24 were expended, including, but not limited to, the number of
25 California resident undergraduate students admitted pursuant to
26 subdivision (e); *expended*.

27 ~~(e) The University of California shall not be required to comply~~
28 ~~with the requirements of subdivisions (a) and (b) in any year in~~
29 ~~which the annual Budget Act provides less funding to support the~~
30 ~~University of California than was provided in the prior budget~~
31 ~~year.~~

32 ~~(f) (1)~~

33 (5) (A) By July 1, 2017, the University of California shall
34 establish a policy regarding admission of nonresident
35 undergraduate students to require that each campus of the
36 University of California admit to that campus only nonresident
37 undergraduate students who exceed the academic qualifications
38 of resident undergraduate students admitted to that campus and,
39 in that regard, would stand in the upper one-half of the resident
40 undergraduate students admitted at that specific campus.

1 ~~(2)~~

2 (B) The University of California shall report to the Legislature
3 annually regarding actions taken to ensure compliance with this
4 policy, including, but not limited to, the academic indicators used
5 in the admission process, the median score of admitted resident
6 undergraduate students for each indicator at each campus, and the
7 number of admitted nonresident undergraduate students who scored
8 below the resident median on each indicator at each campus.

9 ***(b) The University of California shall not be required to comply***
10 ***with the requirements of paragraph (1), (2), or (3) of subdivision***
11 ***(a) in any year in which the annual Budget Act provides less***
12 ***funding to support the University of California than was provided***
13 ***in the prior budget year.***

14 ***(c) It is the intent of the Legislature that the enrollment changes***
15 ***specified in this section be funded by a combination of state***
16 ***funding, savings from operating efficiencies implemented by the***
17 ***University of California, and increases in nonresident***
18 ***undergraduate student tuition and fees.***